



council agenda
CITY OF SAN LUIS OBISPO
CITY HALL, 990 PALM STREET

Tuesday, June 20, 2006

*5:00 P.M.
*PLEASE NOTE EARLY
START TIME

REGULAR MEETING

**Council Chamber
990 Palm Street**

CALL TO ORDER: Mayor Dave Romero

ROLL CALL: Council Members Paul Brown, John Ewan, Christine Mulholland, Vice Mayor Allen K. Settle, Mayor Dave Romero

PRESENTATION

ACCEPTANCE OF MONETARY DONATION FROM DANIELLA KAPLAN FOR THE SANTA ROSA SKATE PARK AND PRESENTATION OF CERTIFICATE OF APPRECIATION. (KISER)

BUSINESS ITEMS

1. **2006-2007 HUMAN RELATIONS COMMISSION (HRC) GRANTS-IN-AID (GIA) FUNDING RECOMMENDATIONS.** (IRONS/KOPECKY - 10 MINUTES)

RECOMMENDATION: Approve the HRC GIA recommendations for the 2006-2007 fiscal year and authorize the City Administrative Officer to execute agreements with each GIA recipient for 2006-2007 as outlined in the GIA Summary of Recommendations.



City Council regular meetings are televised live on Charter Channel 20. The City of San Luis Obispo is committed to including the disabled in all of its services, programs, and activities. Telecommunications Device for the Deaf (805) 781-7410. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. For more agenda information, call 781-7100.

PUBLIC COMMENTS ON AGENDA ITEMS: You may address the Council on any item described in this agenda by completing a speaker slip and giving it to the City Clerk prior to the meeting. The Mayor will invite public comments before the Council takes action on each item. (Gov. Code Sec. 54954.3(a)) Your speaking time is limited to three (3) minutes. (CC&P Sec.1.3.7)

CITY COUNCIL PROCEDURES FOR PUBLIC HEARINGS: The Mayor will announce each item and thereafter, the hearing will be conducted as follows:

1. City staff will present the staff report and recommendation on the proposal being heard and respond to questions from Council.
2. The Mayor will open the public hearing by first asking the project applicant/appellant (or his/her representative) to present any points necessary for the Council, as well as the public, to fully understand the proposal.
3. The Mayor will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Mayor will invite the applicant/appellant (or his/her representative) back to the podium to respond to the public testimony, if appropriate. The Mayor will then close the public hearing and limit further discussion to the Council and staff prior to the Council taking a vote.

RULES FOR PRESENTING TESTIMONY AT A PUBLIC HEARING: City Council meetings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony are asked to observe the following rules:

1. Speakers are asked to submit speaker slips to the City Clerk.
2. If you have filled out a Speaker Slip, the Mayor will call you to the podium.
3. Speakers shall address the Council from the podium after giving his/her name and city of residence. Speakers shall direct their comments to the Council, not the audience.
4. Speakers shall limit comments to three minutes. The Mayor, after all others have spoken, may allow additional brief comments from speakers who have already commented on the same agenda item.
5. If testifying as paid representatives, as defined in the Municipal Code speakers shall register as a Municipal Advocate and shall preface their comments by identifying themselves as Municipal Advocates (§2.64.020 & §2.64.050 & §2.64.070).
6. Applicants, appellants or applicant representatives desiring to speak shall:
 - a. Submit speaker slips to the City Clerk (available on a plastic rack at the entrance to the Council Chamber).
 - b. Shall be permitted to speak first during the public comment portion of the public hearing for not more than ten minutes.
 - c. Address the Council from the podium after giving their name and address, and/or the name and address of the applicant/appellant they are representing. If the applicant/appellant's representative is a paid Municipal Advocate, they shall comply with Number 5 above.
7. If you challenge an issue in court, you may be limited to raising only those issues you or someone else raised at this public hearing as described above, or in written correspondence delivered to the City before or during the public hearing.

CORRESPONDENCE TO COUNCIL: Written comments on agenda items are encouraged and are most effective if presented at least one day prior to the meeting. Note: Correspondence to Council received after 5:00 p.m. on the day of the Council meeting regarding agenda items may not be distributed until the following day.

2. 2006-2007 PROMOTIONAL COORDINATING COMMITTEE (PCC) GRANTS - IN-AID (GIA) RECOMMENDATIONS. (KISER/STANWYCK - 10 MINUTES)

RECOMMENDATION: As recommended by the Promotional Coordinating Committee (PCC), approve the 2006-2007 Grants-In-Aid (GIA) and authorize the City Administrative Officer to execute the individual agreements with each grant recipient.

3. THURSDAY NIGHT PROMOTIONS RULES, REGULATIONS AND FEE CHANGES. (CASH - 30 MINUTES)

RECOMMENDATION: Adopt a resolution approving the Downtown Association's changes to Rules, Regulations and Fees for Thursday Night Promotions.

4. AMENDED REIMBURSEMENT AGREEMENT WITH COSTCO FOR REALIGNMENT OF CALLE JOAQUIN. (LOWELL/STANWYCK - 20 MINUTES)

RECOMMENDATION: Approve an amended reimbursement agreement with Costco Wholesale Corporation (Costco) for the realignment of Calle Joaquin south of Los Osos Valley Road and authorize the Mayor to execute the agreement.

7:00 P.M.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA (not to exceed 15 minutes total)
The Council welcomes your input. You may address the Council by completing a speaker slip and giving it to the City Clerk prior to the meeting. At this time, you may address the Council on items that are not on the agenda or items on the Consent Agenda. Time limit is three minutes. State law does not allow the Council to discuss or take action on issues not on the agenda, except that members of the Council or staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights (Gov. Code Sec. 54954.2). Staff may be asked to follow up on such items. Staff reports and other written documentation relating to each item referred to on this agenda are on file in the City Clerk's Office in Room 1 of City Hall.

CONSENT AGENDA
The Consent Agenda is approved on one motion. Council Members may pull consent items to be considered after Business items. The public may comment on any item on the Consent Calendar.

C1. MINUTES OF TUESDAY, JUNE 6, 2006. (HOOPER)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. NOVEMBER 7, 2006, GENERAL MUNICIPAL ELECTION. (HOOPER)

RECOMMENDATION: 1) Adopt a resolution calling and giving notice of a General Municipal Election on Tuesday, November 7, 2006, and adopting regulations pertaining

to candidates' statements. 2) Adopt a resolution requesting the San Luis Obispo County Board of Supervisors to consolidate the November 7, 2006, General Municipal Election with the Statewide General Election to be held on that date.

C3. COLLECTION OF DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL ACCOUNTS. (MOSS/MUNDS)

RECOMMENDATION: Adopt a resolution authorizing the San Luis Obispo County Assessor to assess the amounts due to San Luis Garbage Company on delinquent accounts for provision of solid waste collection and disposal services as described within Municipal Code Section 8.04.070 as liens against the properties involved.

C4. 2007 AMGEN TOUR OF CALIFORNIA PARTICIPATION AGREEMENT. (KISER/FITZGERALD)

RECOMMENDATION: Approve agreement with AEG Cycling for the City of San Luis Obispo's participation in the 2007 Amgen Tour of California cycling event and authorize the Mayor to execute the final agreement, contingent upon selection by AEG Cycling for San Luis Obispo to be a host City.

C5. AGREEMENT WITH SEAHAWK SWIM CLUB. (KISER)

RECOMMENDATION: As recommended by the Parks and Recreation Commission, approve a one-year contract between the City of San Luis Obispo and the Seahawk Swim Club for use of the Swim Center, effective July 1, 2006, to June 30, 2007.

C6. SEWER REPLACEMENT – 129 CHORRO, SPECIFICATION NO. 90591. (WALTER/HORN)

RECOMMENDATION: 1) Approve an easement agreement which provides for a permanent sewer easement from the owners of the property located at 129 Chorro Street in exchange for construction of a retaining wall. 2) Authorize the Mayor to execute the agreement, accept the easements, and execute any other documents associated with this transaction. 3) Approve the plans and specifications for the "Sewer Replacement – 129 Chorro", Specification No. 90591. 4) Authorize Staff to advertise for bids and authorize the CAO to award the contract if the lowest responsible bid is within the Engineer's Estimate of \$115,550.

C7. INITIATION OF THE PROCESS TO CONSIDER THE ABANDONMENT OF AN UNDEVELOPED PORTION OF SOUTH STREET RIGHT-OF-WAY (ABAN 62-05; THE VILLAGE AT MAYMONT). (MANDEVILLE/MCILVAINE)

RECOMMENDATION: As recommended by the Planning Commission on May 24, 2006, adopt a Resolution of Intention to consider abandonment of the street right-of-way of an undeveloped portion of South Street and set a public hearing for August 15, 2006.

C8. EXTENSION OF THE CURRENT CAL POLY TRANSIT SUBSIDY AGREEMENT. (WALTER/O'DELL)

RECOMMENDATION: Authorize the CAO to approve an amendment to our Cal Poly Transit Subsidy Agreement extending its term by an additional two months.

C9. EMPLOYMENT CONTRACTS FOR DOWNTOWN ASSOCIATION ADMINISTRATOR AND PROMOTIONS COORDINATOR. (IRONS)

RECOMMENDATION: Adopt a resolution approving the contracts of employment between the City of San Luis Obispo and the Downtown Association Administrator and Promotions Coordinator.

C10. APPROPRIATIONS LIMIT FOR 2006-07. (STATLER/DOMINGUEZ)

RECOMMENDATION: Adopt a resolution establishing the City's appropriations limit for 2006-07.

C11. REINSTALLATION OF FLAGPOLE IN MITCHELL PARK. (KISER)

CAO RECOMMENDATION: Do not approve the Parks and Recreation Commission recommendation to not reinstall the flagpole in Mitchell Park at this time. Instead, approve the reinstallation of the Mitchell Park flagpole to a temporary location near the bandstand in the park, with the specific location to be determined by staff, until such time as the long-term location defined in the Mitchell Park Master Plan is properly ready.

C12. DALIDIO RANCH: ELECTIONS CODE SECTION 9111 INPUT. (HAMPIAN)

RECOMMENDATION: Direct the CAO to provide staff input to the County regarding the effect of the proposed Dalidio Ranch initiative, if the Board of Supervisors authorizes a 30 day input process pursuant to Elections Code Section 9111.

PUBLIC HEARINGS

5. ADOPTION OF 2006-07 WATER RATES. (MOSS - 15 MINUTES)

RECOMMENDATION: Adopt a resolution rescinding Resolution No. 9463 (2005 Series) increasing water service charges by 8%, effective July 1, 2006, and adopting revised rate increase of 12%, effective July 1, 2006, and establishing a third tier water rate for single family residential customers using greater than 25 units per month.

6. ADOPTION OF 2006-07 BUDGET. (STATLER/DOMINGUEZ - 1 HOUR)

RECOMMENDATION: Adopt a resolution approving amendments to the 2005-07 Financial Plan and appropriating funds for fiscal year 2006-07.

7. FLOOD DAMAGE ORDINANCE VARIANCE REQUEST. (WALTER / LYNCH - 20 MINUTES)

RECOMMENDATION: Adopt a resolution allowing a variance to the City's flood damage prevention regulations for 229 High Street.

8. CONSIDERATION OF TENTATIVE MAP NO. 2787, A FIVE-UNIT RESIDENTIAL CONDOMINIUM PROJECT AT 562 SANDERCOCK STREET (TR/ER 202-05). (MANDEVILLE/HILL - 20 MINUTES)

RECOMMENDATION: As recommended by the Planning Commission, adopt a resolution approving a negative declaration of environmental impact and a tentative tract map for a five-unit residential condominium subdivision.

BUSINESS ITEMS

9. 2006 WATER RESOURCES STATUS REPORT. (MOSS/HENDERSON - 30 MINUTES)

RECOMMENDATION: Receive and file report.

10. AFFORDABLE HOUSING STANDARDS – REVISE FORMULAS FOR RENTS/SALES PRICES. (MANDEVILLE/DAVIDSON – 20 MINUTES)

RECOMMENDATION: Amend the Affordable Housing Standards, specifically the revised formulas for determining the maximum rents and sales process for each income group.

COUNCIL LIAISON REPORTS (not to exceed 15 minutes)
Council Members report on conferences or other City activities. Time limit—3 minutes.

COMMUNICATIONS (not to exceed 15 minutes)
At this time, any Council Member or the City Administrative Officer may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, subject to Council Policies and Procedures, they may provide a reference to staff or other resources for factual information, request staff to report back to the Council at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda. (Gov. Code Sec. 54954.2)

ADJOURN.

ADVISORY BODIES

ARCHITECTURAL REVIEW COMMISSION (ARC)

The ARC generally meets the first and third Monday of each month. The meetings are held in City Hall in the Council Hearing Room at City Hall, 990 Palm St. and begin at 5:00 p.m. Call 781-7170 to confirm times and dates.

BICYCLE ADVISORY COMMITTEE (BAC)

The Bicycle Advisory Committee meets quarterly in March, June, September, and December. Call 781-7178 to confirm exact dates and times.

CITY COUNCIL

The City Council meets on the first and third Tuesday of every month. The meetings generally begin at 7:00 p.m. and are held at City Hall in the Council Chamber, 990 Palm Street. Call 781-7103 to confirm times and dates.

CULTURAL HERITAGE COMMITTEE (CHC)

The CHC meetings are held on the fourth Monday of the Month at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm St. Call 781-7170 to confirm dates and times.

DOWNTOWN ASSOCIATION BOARD OF DIRECTORS

The Downtown Association Board usually meets the second Tuesday of the month at 7:30 a.m. in the Council Hearing Room located at City Hall, 990 Palm St. Call 541-0286 to confirm the date and time.

HOUSING AUTHORITY

The Housing Authority meets the third Thursday of the month at noon in the Housing Authority offices located at 487 Leff St. Call 543-4478 to confirm dates and times

HUMAN RELATIONS COMMISSION (HRC)

The Human Relations Commission usually meets the first Wednesday of the month at City Hall in the Council Hearing Room, 990 Palm St. beginning at 5:00 p.m. Call 781-7251 to confirm dates and times.

JACK HOUSE COMMITTEE

The Jack House Committee meets the second Wednesday of the month at the Parks & Recreation Department, 1341 Nipomo Street, at 5:30 p.m. Call 781-7305 to confirm the dates and times.

JOINT USE OF RECREATIONAL FACILITIES COMMITTEE (JUC)

The Joint Use Committee meets the fourth Tuesday of each month at noon at the Ludwick Community Center located at 864 Santa Rosa Street. Call 781-7300 to confirm dates and times.

MASS TRANSPORTATION COMMITTEE (MTC)

The Mass Transportation Committee meetings are held on call, generally on a quarterly basis. Call 781-7121 to confirm exact dates and times.

PARKS AND RECREATION COMMISSION (P&R)

The Parks and Recreation Commission typically meets the first Wednesday of the month in the Council Chamber, City Hall, located at 990 Palm St. and begin at 7:00 p.m. Call 781-7300 to confirm dates and times.

PLANNING COMMISSION (PC)

The Planning Commission meets the second and fourth Wednesday of the month at 7:00 p.m. in the Council Chamber, City Hall, 990 Palm Street. Call 781-7170 to confirm dates and times.

PROMOTIONAL COORDINATING COMMITTEE (PCC)

The Promotional Coordinating Committee meets the second Wednesday of each month at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm St. Call 781-7123 to confirm the times and places.

TREE COMMITTEE

Tree Committee meets at 5:00 p.m. on the fourth Monday of the month at the City's Corporation Yard located at 25 Prado Road. Call 781-7220 to confirm dates and times.